

REMARKS

With the entry of the foregoing amendments, claims 50-70 are now pending in this application. Favorable consideration is requested.

Claims 50-70 have been amended to place them in line with more conventional US patent claim format, e.g., deleting the reference numbers, using the term “comprising” in place of “such as” in claim 50, and amending the tube wording in claim 70 as supported by the specification (e.g., page 11, lines 30-32) . No substantive amendments have been made, and no new matter has been added. Thus, the amendments can easily be entered at this stage in the prosecution and place the claims in better condition for allowance.

In response to the Section 112 rejections, applicant has used the helpful observations of the examiner to amend the claims, which obviate the rejections.

In response to the prior art rejections, applicant traverses the rejections. Applicant summarizes the prior art rejections as follows:

1. On page 2 of the Office Action, claims 50-59 and 68 stand rejected as allegedly being obvious over Goldrath.
2. In the middle of page 3 of the Action, claims 60-63 stand rejected as allegedly being obvious over Goldrath in view of Dominiak (U.S. Patent 5,478,211).
3. At the top of page 4 of the Action, claims 64-65 stand rejected as allegedly being obvious over Goldrath in view of Lavender (U.S. Patent 4,980,054).
4. In the middle of page 4 of the Action, claim 66 stands rejected as allegedly being obvious over Goldrath in view of Lawless (U.S. Patent 5,078,362).
5. At the bottom of page 4 of the Action, claim 69 stands rejected as allegedly being obvious over Goldrath in view of Keshaviah (U.S. Patent 6,074,359).

Applicant respectfully submits that the rejections do not present a viable prima facie case of obviousness for at least the following reasons.

First, the cited art either individually or in any “reasonably apparent” combination (to borrow a phrase from the Supreme Court’s *KSR* decision) does not disclose or suggest the claimed invention that requires a unique structure in a certain order that contains two distinct fluid lines. None of the prior art discloses or suggests this claimed invention in its particular combination. Applicants have discovered that this invention creates the possibility of a more compact and safer device that lowers the risk of contamination between the drain line and the clean line. The claim features and its attributes are not disclosed or suggested by the prior art.

Second, each claimed fluid line (the first line and the second line) crosses/utilizes the “liquid distribution system” **twice**, i.e., claim 50 states:

said system further comprising **two distinct lines**, namely:

- a first line including **successively** said liquid supply means, **said liquid distribution system**, said liquid pump, **said liquid distribution system** and said patient conduit, and
- a second line including **successively** said patient conduit, **said liquid distribution system**, said liquid pump, **said liquid distribution system** and said drain collector.

These claim features and requirements are nowhere disclosed or suggested by Goldrath or any of the secondary references.

Third, in the claimed invention, the liquid movement in the liquid distribution system is **bidirectional**. In stark contrast, in Goldrath, the liquid movement is **unidirectional**. Thus, Goldrath **teaches away** from the claimed invention.

The foregoing-identified differences are critical and fundamental to the claimed invention because they offer several advantages over Goldrath or anything suggested by Goldrath (or the cited secondary references that do not overcome the deficiencies of Goldrath). For example, the claimed invention provides a complete fluid delivery system that is much more compact.

In summary, claim 50 underscores the differences discussed above. In claim 50, applicant twice mentions the critical phrase "liquid distribution system" when each line is defined. This is clear confirmation that the liquid is crossing this portion of the device twice – which is nowhere disclosed or suggested in Goldrath or any of the secondary references.

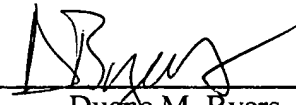
In view of the foregoing amendments and remarks, applicant submits that this application is in condition for allowance. A notice to that effect is earnestly solicited.

If the examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

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